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08/846,108	04/25/97	KIM	K

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EXAMINER

AOKI, M

ART UNIT:

2745

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DATE MAILED: 12/08/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

08/846,108

Applicant(s)

Kim

Examiner

Makoto Aoki

Group Art Unit

2745



☒ Responsive to communication(s) filed on Apr 25, 1997

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-19 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-19 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: KO 97-4194 filed 3/78/97 and KO 97-5841 filed 3/26/97

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2745

## **OFFICE ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Korea on March 7, 1997 and March 26, 1997. It is noted, however, that applicant has not filed a certified copy of the applications as required by 35 U.S.C. 119(b).

### ***Information Disclosure Statement***

2. The information disclosure statement filed 4/25/97 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

### ***Drawings***

3. The drawings filed on 7/1/97 are acceptable subject to correction of the informalities, if any, indicated on the attached "Notice of Draftperson's Patent Drawing Review," PTO-948.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2745

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-3, 5 and 7-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Alpert (U.S. Patent Number 5,742,666) in view of Dounies (U.S. Patent Number 5,343,509.)

As to **claims 1 and 7-9**, Alpert discloses an emergency cellular mobile telephone (title and abstract,) with a radio transceiver (54, figure 3A, lines 23-26, column 6.) Alpert's cellular telephone also comprises an alarm mechanism (control unit 70, figure 3A,) which automatically places a distress call and sends a recorded audio message when an emergency is detected (abstract,) by external sensors (detectors 66 and 66a-66d, figure 3A.) Alpert's system also comprises a memory for storing audio signals (non-volatile memory 91, figure 3A, and lines 61, column 7 through line 6, column 8.) As can be seen from figures 2 and 3A, the memory (91, figure 3A,) and the alarm system (control unit 70,) are housed in the same housing as the radio transceiver (54, figures 2 and 3A.) It is noted that all radio transceivers inherently comprise both a radio transmitter and a radio receiver, by definition, as is well understood in the art.

Alpert's system, however, fails to provide a memory for storing images. In an analogous art, however, Dounies discloses an emergency communication device which auto-dials a distress call (lines 25-26, column 3.) Dounies teaches that audio communication may be too slow and inaccurate

Art Unit: 2745

in emergency situations (lines 32-34, column 1,) and discloses sending image information captured by a digital camera (36, figure 2, line 20, column 5,) and stored in memory instead (lines 1-4 and 30-33, column 8.)

Hence, it would have been obvious to one of ordinary skill in the art to provide a memory which can store images, in the device disclosed by Alpert, in order to communicate the distress call more quickly and accurately, as taught by Dounies.

The Alpert and Dounies references are combinable because they are in the same field of endeavor as the present application: automatically sending stored information by telephone to a remote location in case of an emergency.

As to **claim 2**, Alpert and Dounies disclose everything claimed, as applied above to claim 1, but fail to disclose a radio receiver mounted on the same circuit board. However, Official Notice is taken that the concept and advantages of integration of circuits for use in portable devices are well known and expected in the art.

Hence, it would have been obvious to one of ordinary skill at the time of the invention to provide the radio receiver and the alarm system on a single circuit board, as is well known in the art, in the above combination of Alpert and Dounies, in order to reduce size and weight of the portable cellular telephone.

Art Unit: 2745

As to **claim 3** Alpert and Dounies disclose everything claimed, as applied above to claim 1, but fail to disclose a radio receiver mounted on the separate circuit boards. However, Official Notice is taken that the concept and advantages of modular component design are well known and expected in the art.

Hence, it would have been obvious to one of ordinary skill at the time of the invention to provide the radio receiver and the alarm system on a separate circuit boards, as is well known in the art, in the above combination of Alpert and Dounies, in order to reduce the cost of the least replaceable unit, and to be able to use the same modular components for other applications.

As to **claim 5**, Alpert and Dounies disclose everything claimed, as applied above to claim 1. Alpert further provides an alarm system with a motion detector (motion detector 66b, figure 3A) as illustrated in figure 3A.

As to **claims 10 and 11**, Alpert and Dounies disclose everything claimed, as respectively applied above to claims 1 and 7. Dounies further discloses an AC power supply with backup batteries (power supply 35, figure 4B, lines 2-7, column 6,) As can be seen from figures 4A and 4B, the power supply in Dounies's invention supplies power to the alarm (alarm 31, figure 4A, the audio and video memory (message ROM 23, and photo memory 37, figure 4B.)

Art Unit: 2745

Hence, it would have been obvious to one of ordinary skill at the time of the invention to provide batteries to power the alarm, the audio and image memory, as suggested by Dounies, in the above combination of Alpert and Dounies, in order to provide a backup power source.

The above combination of Alpert and Dounies fails to disclose a battery which supplies power to the radio receiver and which is associated with the housing. However, Official Notice is taken that the concept and advantages of providing a battery to supply power to a portable radio device, and the technique of providing a battery inside the housing of a portable device are well known and expected in the art. Since Alpert discloses his invention as being a portable cellular telephone (lines 36-44, column 4,) it would have been obvious to one of ordinary skill at the time of the invention to provide power to the radio receiver in the above combination of Alpert and Dounies from a battery associated with the housing, as is expected in the art, so that the portable device can function without having to make a connection to an external power source.

As to **claims 12**, Alpert and Dounies discloses everything claimed, as applied above to claim 1. As illustrated in figure 2, Alpert further discloses a keypad (62, figure 2,) and an emergency key (64, figure 2,) which triggers an automatic distress call and sends stored information (lines 28-49, column 6,) and also suggests that a key on the keypad can be used instead of a dedicated emergency key (lines 50-54, column 6.) Alpert also teaches that an emergency auto-dial key is useful in case the caller is injured (lines 1024 and 41-54, column 2.)

Art Unit: 2745

Hence, it would have been obvious to one of ordinary skill at the time of the invention to provide a key associated with a keypad which triggers an alarm signal and sends stored audio and video information, as suggested by Alpert, in the above combination of Alpert and Dounies, in order to automatically send a detailed alarm message in emergency in case the user is injured.

The above combination of Alpert and Dounies fails to disclose pressing the emergency key once to send an alarm signal, and pressing it again to send audio and image signals. Dounies, however, teaches pressing a first switch (switch 3, figure 2,) to send an alarm signal to a remote location (lines 14-22, column 6,) and optionally pressing a second switch (switch 4, figure 2,) to send additional stored information as required, depending on the nature of the emergency (lines 26-41, column 6.)

Hence, it would have been obvious to one of ordinary skill at the time of the invention to provide a first key to send an alarm to a remote location, and a second key to send audio and image signals, as suggested by Dounies, in the above combination of Alpert and Dounies, in order to be able to send additional information as required by the nature of the emergency.

The above combination of Alpert and Dounies fails to provide pressing a key once to send an alarm, and pressing the same key a second time to send additional audio and video information. However, Official Notice is taken that the concept and advantages of providing multi-purpose keys on a portable device are well known and expected in the art.

Hence, it would have been obvious to one of ordinary skill at the time of the invention to provide pressing a key once to send an alarm, and pressing the same key a second time to send



Art Unit: 2745

additional audio and video information, as is expected in the art, in the above combination of Alpert and Dounies, in order to reduce the size and weight of the portable device by limiting the number of keys required.

As to **claim 13**, Alpert and Dounies disclose everything claimed, as applied above to claim 12. Dounies further discloses auto-dialing when the emergency button is activated and transmitting an alarm to a remote location (lines 34-46, column 2,) and teaches that his invention improves upon the prior art by providing complete and correct information more quickly in an emergency situation (lines 13-38, column 1.)

Hence, it would have been obvious to one of ordinary skill at the time of the invention to provide an automatic dialer which is activated when the emergency key is pressed whereby an alarm is generated for transmission to the remote location, as taught by Dounies, in the above combination of Alpert and Dounies, in order to quickly provide complete and correct information in an emergency situation.

6. **Claims 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over Alpert (U.S. Patent Number 5,742,666) in view of Dounies (U.S. Patent Number 5,343,509) and Benedetto et al. (U.S. Patent Number 4,591,661.)

Art Unit: 2745

As to **claim 4**, Alpert and Dounies disclose everything claimed, as applied above to claim 1, but fail to provide an AM and FM stereo receivers. In an analogous art, however, Benedetto et al. Teaches combining a portable radiotelephone transceiver and a broadcast stereo FM radio receiver (lines 25-36, column 1,) so that the user can listen to FM stereo broadcasts when the telephone is not being used (abstract.) It is further noted that providing AM reception capabilities in addition to FM reception capabilities in a broadcast radio receiver is a matter of common knowledge.

Hence, it would have been obvious to one of ordinary skill at the time of the invention to provide an FM stereo receiver, as taught by Benedetto, which can also receive AM broadcast signals, as are commonly known, in the above combination of Alpert and Dounies, in order to let the user listen to broadcast programs when the telephone is not in use.

7. **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over Alpert (U.S. Patent Number 5,742,666) in view of Dounies (U.S. Patent Number 5,343,509) and Ladha (U.S. Patent Number 5,517,547.)

As to **claim 6**, Alpert and Dounies disclose everything claimed, as applied above to claim 1, but fails to provide an alarm system with a horn. In an analogous art, however, Ladha discloses an alarm system which auto-dials a distress call via cellular telephone (title, abstract,) and teaches providing a horn in the alarm system in order to sound an alarm locally (19-25, column 1.)

Art Unit: 2745

Hence, it would have been obvious to one of ordinary skill at the time of the invention to provide an alarm system with a horn, as taught by Ladha, in the above combination of Alpert and Dounies, in order to sound an alarm locally.

8. **Claims 14 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Alpert (U.S. Patent Number 5,742,666) in view of Dounies (U.S. Patent Number 5,343,509) and Rodhall et al. (U.S. Patent Number 5,463,595.)

As to **claims 14 and 15**, Alpert and Dounies disclose everything claimed, as respectively applied above to claim 1 and 7, but fail to provide an alarm system selected from the group of infrared, ultrasonic and motion detectors. In an analogous art, however, Rodhall et al. discloses a portable security system (title,) which auto-dials an alarm signal (abstract,) via a cellular auto-dialer (lines 51-60, column 7,) and comprising a motion detector (14, figure 1.) Rodhall further teaches that alternative motion detectors such as infrared and ultrasonic detectors are also suitable for use (lines 54-62, column 6.)

Hence, it would have been obvious to one of ordinary skill at the time of the invention to provide an alarm system selected from the group of infrared, ultrasonic and motion detectors, as taught by Rodhall, in the above combination of Alpert and Dounies, in order to be able to use any one of several suitable alternatives available.

Art Unit: 2745

9. **Claims 16, 17 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Alpert (U.S. Patent Number 5,742,666) in view of Dounies (U.S. Patent Number 5,343,509) and Hashimoto et al. (U.S. Patent Number 5,815,201.)

As to **claims 16 and 17**, Alpert and Dounies disclose everything claimed, as applied above to claims 1 and 7, but fail to provide means for enabling stored audio and image signals to be detected by an external device. In an analogous art, however, Hashimoto et al. disclose a digital camera (title,) which stores both audio and video data in memory (abstract.) According to Hashimoto's invention, stored audio and video signals are sent to an external device (lines 29-35, column 1) and teaches that by sending both the audio and video signals together, the external device can determine that the two signals are related to each other (lines 27-30, column 2.)

Hence, it would have been obvious to one of ordinary skill at the time of the invention to provide means for enabling the stored audio and image signals to be detected by an external device, as taught by Hashimoto, in the digital camera in the above combination of Alpert and Dounies, so that the external device can determine that the audio and image signals are related to each other.

As to **claim 19**, Alpert and Dounies disclose everything claimed, as applied above to claim 7, but fail to provide a receptacle for enabling a television or a personal computer to be connected so that stored images can be viewed. In an analogous art, however, Hashimoto teaches attaching an external device to monitor the audio and image data (lines 29-35, column 1,) and suggests that a

Art Unit: 2745

personal computer can be used as an external monitoring device (lines 6-29, column 2.) Hashimoto further discloses a connector on the housing for connecting an external video display and audio device (164, figure 1B, and lines 47-50, column 4.)

Hence, it would have been obvious to one of ordinary skill at the time of the invention to provide a connector enabling the external connection of a personal computer, in the above combination of Alpert and Dounies, so that the stored images can be viewed on the computer as suggested by Hashimoto.

The above combination of Alpert, Dounies and Hashimoto, however, fails to provide a an external audio/video connector which is a receptacle. However, interface standards for connecting DTEs to DCEs, such as EIA/TIA RS-232 D-type connectors, for instance, are well known in the art to provide electrical connectors with pins and matching receptacles.

Since RS-232 provides for receptacles at the DCE end, it would have been obvious at the time of the invention to provide an RS-232 D-type connector with receptacles at the cellular telephone side, for connecting the cellular telephone to a personal computer, in the above combination of Alpert, Dounies and Hashimoto, in order to be able to use a standard cable between the cell phone and the personal computer.

Art Unit: 2745

10. **Claim 18** is rejected under 35 U.S.C. 103(a) as being unpatentable over Alpert (U.S. Patent Number 5,742,666) in view of Dounies (U.S. Patent Number 5,343,509) and Maeda (U.S. Patent Number 5,740,543.)

As to **claim 18**, Alpert and Dounies disclose everything claimed, as applied above to claim 7, but fail to provide a means for recording conversations between the cellular phone and another. In an analogous art, however, Maeda teaches recording a conversation in the memory of cellular phone when the cell phone user is not able take notes (lines 8-31, column 1.)

Hence, it would have been obvious to one of ordinary skill at the time of the invention to provide a storing means which enables the telephone conversation between the cellular phone user and another to be recorded, as taught by Maeda, in the above combination of Alpert and Dounies, in case the cell phone user is not able to take notes by hand.

### ***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Makoto Aoki whose telephone number is (703) 308-9640. The examiner can normally be reached Monday through Friday from 8:00 am to 5:00 pm, except on the first Friday of the Federal bi-weekly pay period.

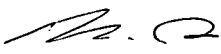
Serial Number: 08/846,108

Page 14

Art Unit: 2745

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Reinhard Eisenzopf, can be reached on (703) 305-4711. The fax phone number for this Group is (703) 305-9508.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Makoto Aoki   
December 4, 1998

  
REINHARD J. EISENZOPF 12-5-98  
SUPERVISORY PATENT EXAMINER  
GROUP 2700